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Attorney Docket: Heska USNP

IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

#3A
ARJENS
8/13/02

In Re the National Phase Application of: Heska Corporation

Serial Number: (original) US 09/408,584 New: _____
(PCT) PCT/US00/26870

Filed: (original US) 29 September 1999 New: _____
(PCT) 29 September 2000

For: Intranasal Delivery System

PRELIMINARY AMENDMENT

This national stage application presents only claims for examination which have been indicated in the International Preliminary Examination Report prepared by the United States Patent and Trademark Office as satisfying the criteria of PCT Article 33(1)-(4) as to novelty, inventive step and industrial applicability. The applicant has amended the application only to the extent necessary to eliminate objections as to form or to cancel rejected claims. As such, the applicant has paid the fee as set forth in 37 C.F.R. §1.492(a)(4). The applicant respectfully requests that this application be taken out of order pursuant to 37 C.F. R. §1.496(b).

In the Specification:

Please add the following paragraph after the title on page 1:

-- This application is the United States National Stage of International Application No. PCT/US00/26870 filed September 29, 1999, and is also a continuation of United States Application No. 09/408,584, filed September 29, 1999, now issued as United States Patent No. _____, each hereby incorporated by reference. --